

The social construction of the sex offender

Ph.D Dissertation

Department of Criminology and Criminal Justice
University of Missouri St. Louis

Lisa M. Sample

Abstract

Over the last two decades, Americans have come to perceive sex offending as a serious and widespread problem. As a response to the public's concern, new sex offender legislation has been enacted. This dissertation examines the contemporary sex offender problem and the legislative responses, within a social constructionist framework. I performed a content analysis of newspaper accounts, conducted interviews with public officials, and analyzed arrest data to determine the current definitions of sex offenders, the process by which those definitions found their way into law, and how they were applied to offenders.

I found that the media depict and policy makers perceive an increase in sex offending, particularly against children, during the 1990s. In addition, both the media accounts and policy makers' comments are dominated by an image of the sex offender as a compulsive recidivist whose behavior often escalates to lethal violent crime. However, law enforcement data indicate that sex crimes against children remained stable over this period, and offending against adults declined. Furthermore, arrested sex offenders had lower recidivism rates for sex crimes and other offenses than most other categories of offenders, and their behavior rarely escalates to more violent crime.

It appears then that sex offender legislation did not arise simply because of the growing objective harm of sex offending. Rather, it was the product of a socially constructed panic stimulated by media depictions and used by policy makers to successfully promote sex offending as a menacing social problem worthy of costly and sweeping legislation. That legislation may not be effective in addressing behaviors of justifiable concern to the public. The dissertation contributes to social problems research by modeling the process whereby conditions are converted to the problems that eventually evoke legislative action. The results can be applied to evaluations of other social problems to better calibrate policy responses. Finally, the analysis highlights the need for policy makers and the general public to become more thoughtful consumers of media accounts of deviant behavior.